

Ex. 3 5 U.S.C. § 7114(b)(4)

From: Myers, Dianna <Myers.Dianna@epa.gov>

Sent: Thursday, March 18, 2021 12:39 PM

To: Blevins, John <Blevins.John@epa.gov>; Allenbach, Becky <Allenbach.Becky@epa.gov>; Asencio, Carlos I. <Asencio.Carlos@epa.gov>

Cc: Hughes-Fairley, Rosalyn <Hughes-Fairley.Rosalyn@epa.gov>; Vancuron, Francine <vancuron.francine@epa.gov>; Porter, Sharron <Porter.Sharron@epa.gov>; diannamyers534afge@gmail.com

Subject: AFGE Local 534 Request of Implementation of the Biden Executive Orders

Good Afternoon John,

Please find the attached memo which request Region 4 to implement the Biden Executive Orders. Please let me know if you have any additional questions.

Dianna B Myers

President, AFGE Local 534

Ph-404-562-9207

[Email-Myers.dianna@epa.gov](mailto:Myers.dianna@epa.gov)

Cell-678-895-5263

[Email-Diannamyers534afge@gmail.com](mailto:Diannamyers534afge@gmail.com)

Ex. 3 5 U.S.C. § 7114(b)(4)

From: James, Nathaniel <james.nathaniel@epa.gov>
Sent: Thursday, March 18, 2021 4:36 PM
To: Vizian, Donna <Vizian.Donna@epa.gov>
Cc: Jackson, Yvette <Jackson.Yvette@epa.gov>; Brown, Philip <Brown.Philip01@epa.gov>
Subject: AFGE 3331 Demand for Restoration

Greetings Donna,

Hope that you are doing well. Please see attached the AFGE Demand for Restoration.



Nate James,
AFGE Local 3331
Employee Representative @EPA
Washington, DC, 20460
☎: 202-566-2454 ✉: james.nathaniel@epa.gov

Note: This e-mail is intended for the exclusive use of the recipient(s) named above, and must not be disseminated or copied to other non-authorized persons. If you have received this e-mail in error, please contact the sender immediately. Thank you.

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From: Dreyfus, Bethany <Dreyfus.Bethany@epa.gov>

Sent: Wednesday, March 17, 2021 11:02 AM

To: Jordan, Deborah <Jordan.Deborah@epa.gov>; Drake, Kerry <Drake.Kerry@epa.gov>; Taylor, Elizabeth <Taylor.Elizabeth@epa.gov>

Cc: Quast, Sylvia <Quast.Sylvia@epa.gov>; Alkon, Margaret <Alkon.Margaret@epa.gov>; Fairbanks, Brianna <Fairbanks.Brianna@epa.gov>; Goldberg, Karen <Goldberg.Karen@epa.gov>; Yocom, Danita <Yocom.Danita@epa.gov>

Subject: Restoration of AFGE Local 1236 space and equipment

Debbie, Kerry, and Elizabeth – I am writing to request restoration of access to AFGE Local 1236's office and related space and equipment per President Biden's Executive Order 14003. In OPM's March 5 guidance for implementation of EO 14003, with reference to actions taken pursuant to section 8 of Trump's EO 13837, specifically including limits on official time and union offices, agencies must "engage impacted unions as soon as practicable to suspend, revise, or rescind the actions." As you will recall, within a month of the unilateral contract imposed by the administration in July 2019, Local 1236 turned in our keys to Carl Warren and stopped

using the office as we were required to do. Now that these measures are to be rescinded "as soon as practicable," we are looking to the Region to return our access to our facilities and equipment.

The equipment and access we seek to have restored include: the union office, the agency-issued computer, telephone line and telephone, access to shared printer, filing cabinet space, and the 12th floor bulletin board. Please let me know when we can meet to discuss details of regaining access.

Thank you.

Bethany

Bethany Dreyfus
Office of Regional Counsel
EPA Region 9
75 Hawthorne Street, ORC-3
San Francisco, CA 94105
(415) 972-3886

Ex. 3 5 U.S.C. § 7114(b)(4)

From: Myers, Dianna <Myers.Dianna@epa.gov>

Sent: Wednesday, March 24, 2021 10:11 AM

To: Asencio, Carlos I. <Asencio.Carlos@epa.gov>; Hughes-Fairley, Rosalyn <Hughes-Fairley.Rosalyn@epa.gov>;
Vancuron, Francine <vancuron.francine@epa.gov>; Porter, Sharron <Porter.Sharron@epa.gov>;
diannamyers534afge@gmail.com

Cc: Mamizadeh, Patty <Mamizadeh.Pargol@epa.gov>

Subject: Second Request for Implementation of the Biden Executive Orders

Carlos,

Please see the attached Memo for additional follow-up.

Dianna B Myers
President, AFGE Local 534
Ph-404-562-9207
Email-Myers.dianna@epa.gov

Cell-678-895-5263

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From: Cantello, Nicole <cantello.nicole@epa.gov>
Sent: Thursday, March 25, 2021 10:18 AM
To: Schnieders, Kathleen <schnieders.kathleen@epa.gov>; Klassman, Debra <klassman.debra@epa.gov>; Bishlawi, Randa <Bishlawi.Randa@epa.gov>
Cc: Marlinga, Richard <marlinga.richard@epa.gov>
Subject: FW: Region 5 Compliance with EO 14003

Dear Kaki:

As you can see from the email below, I will be going on an extended full-time detail starting March 31st- a little less than a week from today.

To facilitate the transition, I will provide you a list of cases that need reassignment by the end of the day.

Thanks so much for your understanding- it has been a pleasure working with you.

Best,

Nicole Cantello
President
AFGE Local 704

From: Cantello, Nicole
Sent: Thursday, March 18, 2021 11:34 AM
To: Marlinga, Richard <marlinga.richard@epa.gov>; Newton, Cheryl <Newton.Cheryl@epa.gov>; Sanders, Amy <Sanders.Amy@epa.gov>
Cc: Targos, Loreen <Targos.Loreen@epa.gov>; Black, Christopher <black.christopher@epa.gov>; Crispell, Emily <crispell.emily@epa.gov>; Crisp, Ethel <crisp.ethel@epa.gov>; Sasnow, Zachary <sasnow.zachary@epa.gov>; Johnson, Lashana <Johnson.Lashana@epa.gov>
Subject: Region 5 Compliance with EO 14003

Dear Cheryl, Rick and Amy:

On January 22, 2021, President Biden signed Executive Order (EO) 14003 on Protecting the Federal Workforce. Section 1 notes that “Career civil servants are the backbone of the Federal workforce” and that “[i]t is the policy of the United States to protect, empower and rebuild the career Federal workforce.” It further notes that “[i]t is also the policy of the United States to encourage union organizing and collective bargaining.” <https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/20/executive-order-protecting-the-federal-workforce-and-requiring-mask-wearing/>

To advance these policy objectives, the EO revoked the following Executive Orders issued by former President Trump:

EO 13836 of May 25, 2018 – Developing Efficient, Effective, and Cost-Reducing Approaches to Federal Sector Collective Bargaining,

EO 13837 of May 25, 2018 – Ensuring Transparency, Accountability, and Efficiency in Taxpayer-Funded Union Time Use, and

These Executive Orders were implemented against AFGE Council 238’s bargaining unit, which included AFGE Local 704, by unilateral order issued by the Agency on July 8, 2019. EO 13837 in particular was embodied in the unilateral order, and was never ratified by Council 238 in a subsequent contract. A Unfair Labor Practice was filed on behalf of the union objecting to the working conditions imposed by EO 13837, which included severe limits on official time, imposed official time procedures, rescinded union office space and conference rooms and confiscated equipment.

EO 14003 has lawfully reversed the legal effect of EO 13837.

It is the stated policy of President Biden that the federal workforce be rebuilt through strong union representation. This means EPA will not be able to move forward and accomplish its mission without the immediate restoration of union rights in the workplace.

Each item unlawfully taken from the union as part of EPA’s illegal unilateral order of July 8, 2019, should be returned **“immediately.”** The Office of Personnel Management Guidance of March 5, 2021 (OMB Guidance) requires that the Agency cease all actions to enforce certain sections of the EOs, including those that confiscated the union workplace and official time. <https://www.chcoc.gov/content/guidance-implementation-executive-order-14003-protecting-federal-workforce>

The President’s EO was issued January 22nd and the OPM Guidance was issued on March 9th. More than enough time has elapsed for it to be practicable for management to make the minor adjustments outlined below.

Therefore, AFGE Local 704 is providing notice, that as of March 31, 2021, we expect the immediate return of the following:

1. EPA shall immediately return the union office space in the 77 West Jackson Building, and provide keys to the union president.
2. EPA shall immediately return the union closet in the 77 West Jackson Building, and provide keys to the union president.
3. EPA shall immediately return the union conference room in the 77 West Jackson Building, and provide keys to the union president.
4. EPA shall immediately return the printer/copier/fax, telephones, office supplies, file cabinets and furniture confiscated by EPA.

As of today, the union under EO 14003 will act with the following expectations:

5. Official time shall be restored for union representatives immediately.
6. Bargaining unit members shall no longer comply with Article 2 of the July 2020 contract.
7. AFGE representatives and employees will no longer submit official time request forms.
8. Bargaining unit members shall no longer comply with Article 6 of the July 2020 contract.
9. EPA shall restore the use of EPA equipment for union communications and meetings, including but not limited email and MS Teams.

As of March 31, 2021, the union under EO 14003 will act with the following expectations:

10. Official time shall be restored for a full-time union position, designated for the union president.

With each administration, there is a process of transition. AFGE Local 704 firmly avows that the above changes will assist our Region in transitioning to a fair, free and equitable workplace.

As usual, please feel free to contact me with any questions or comments.

Best,

Nicole Cantello
President
AFGE Local 704

Ex. 3 5 U.S.C. § 7114(b)(4)

From: Copt, Britta <Copt.Britta@epa.gov>

Sent: Thursday, March 18, 2021 4:00 PM

To: Thomas, Deb <thomas.debrah@epa.gov>; Buhl, Rick <Buhl.Rick@epa.gov>; Fowler, Joshua <Fowler.Joshua@epa.gov>

Cc: Christenson, Dave <Christenson.Dave@epa.gov>; Lohrke, Gregory <lohrke.gregory@epa.gov>; Friel, Brian <Friel.Brian@epa.gov>; Kinard, Sherrie <Kinard.Sherrie@epa.gov>; Archuleta, Richard <Archuleta.Richard@epa.gov>

Subject: Union Office Space and Official Time

Deb, Rick and Josh-

Please see the attached letter regarding the Union's office space and use of official time. Please contact me if you wish to discuss. Thank you!

Britta Copt

President, AFGE Local 3607

EPA Region 8 | 1595 Wynkoop Street | 8ENF-AT-P | Denver, CO 80202
303.312.6229

<image001.jpg>

<image002.jpg>

<image003.png>

Protecting the Environment by Protecting EPA Employees

Pronouns: she/her/hers

<Union Letter re Office Space and Official Time.pdf>

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From: Marie Owens (via Google Docs) <drive-shares-noreply@google.com>

Sent: Thursday, March 18, 2021 9:31 AM

To: Waters, Anthony <Waters.Anthony@epa.gov>

Cc: Esher, Diana <Esher.Diana@epa.gov>; McManus, Catharine <mcmanus.catharine@epa.gov>;

joycehowell@afge3631.org; mcquic@afge.org; gmony3631@gmail.com

Subject: EO Demand 03182021

marieowens@afge3631.org has attached the following document:



EO Demand 03182021

Google Docs: Create and edit documents online.

Google LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA

You have received this email because marieowens@afge3631.org shared a document with you from Google Docs.

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